

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

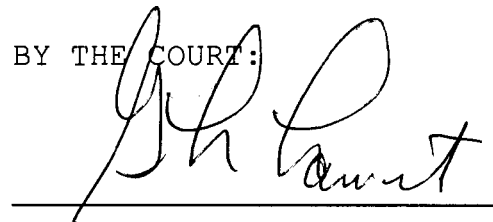
DENNIS McKEITHAN,	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 06-965
	)	
JEFFREY BEARD, ET AL.,	)	
Defendants.	)	

ORDER

Plaintiff has appealed the non-dispositive order, dated October 4, 2006, entered by United States Magistrate Judge Francis X. Caiazza [document #33]. Upon a review of the matters raised by the appeal, the court concludes that the order appealed from is neither clearly erroneous nor contrary to law. Fed.R.Civ.P. 72.

Therefore, this 20<sup>th</sup> day of October, 2006, IT IS HEREBY ORDERED that the order referred to is AFFIRMED and the instant case is referred back to the Magistrate Judge for further proceedings.

BY THE COURT:

 J.

cc: The Honorable Francis X. Caiazza,  
United States Magistrate Judge

All parties of record